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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,641	06/05/2000	HIROKATSU SHIMADA	15162/02070	7764

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EXAMINER

PHAM, THIERRY L

ART UNIT PAPER NUMBER

2624

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/586,641

Applicant(s)

SHIMADA, HIROKATSU

Examiner

Thierry L Pham

Art Unit

2624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 October 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☐ The proposed amendment(s) will not be entered because:  
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_


Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-20.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 11/8/04.  
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: The arguments presented by an applicant are not persuasive. The examiner is appreciated an applicant for corresponding to pages that describes "correcting print data" within the originally filed specification. According to originally filed specification, two embodiments for describing a method of correcting the unfinished print data. First embodiment (pages 10-12) involves converting the unfinished print data from L\*a\*b\* to YCMK prior to be printed by substitute printer. Second embodiment (pages 12-14) involves converting the unfinished print data from RGB to YMCK prior to be printed by substitute printer. By doing so, quality of the images printed by the selected substitute printer is the "same" as that of the images printed by the printer in which the problem is detected. By converting print data to YCMK from RGB or L\*a\*b\* does not guarantee the quality of the images printed by the selected substitute printer is the "same" as that of the images printed by the printer in which the problem is detected. For example, an original selected printer is a "color" laser printer, and a substitute selected printer is an monochrome inkjet printer; apparently, the images quality printed by these two printers are not the same, regardless of how the print data is modified and/or corrected. First, ink quality/density of these two printers are different; secondly, characteristics/capabilities of these two printers are different, and finally, original selected printer is a laser printer, and a substitute printer is an inkjet printer. Therefore, it would be impossible to obtain the same image qualities just by simply converting print data to YCMK. Yacoub, explicitly teaches a server for finding a substitute printer that is able to print the unfinished print data having the same quality as the defected ones. Inherently, prior to print any incoming print data (including unfinished print data) by any printers, the incoming print data must be converted to YCMK format (printer's format) before printing. Note: Notice of Draftperson's Patent Drawing Review is no longer required by USPTO.

  
GABRIEL GARCIA  
PRIMARY EXAMINER